

has not yet reached the end of the telecommunications connection. As illustrated in Fig. 1, in association with element GW, the data will be forwarded further towards MS and, in association with element TE, the data will be forwarded inside element TE from the interface between element TE. Subsequently, the data will be forwarded inside element TE from the interface between element TE and PDN for further processing. Thus, a frame string arriving at the end of the packet switched connection (PDN, in the example illustrated in Fig. 1) is still the “frame string being transmitted;” consequently, extra frames can be added thereto in the receiving end of the packet-switched connection. This is clearly recited in the combination of claims 7 and 8 or 13 and 14. Because, the claims are sufficiently definite in their explanation of the scope of the invention, the rejection under 35 U.S.C. 112 is respectfully traversed.

Although the Office Action has asserted that the preamble is not being accorded any patentable weight because “the preamble is generally not accorded any patentable weight where ... the body of the claim does not depend on the preamble for completeness...”. However, Applicants submit that the preamble must be afforded patentable weight in the present claims because the preamble defines the properties of the telecommunications connection including, e.g., synchronized end-to-end encryption. Additionally, the preamble defines the meaning of claim terms recited in the main body of the claims. Thus, the claimed invention is one in which the preamble breathes life and meaning into the claimed invention recited in the claim main bodies. Therefore, the claim preamble should be properly considered when assessing the patentability of the claimed invention.

The Official Action rejected claims 1-18, 22-26 and 29 under 35 U.S.C. 103(a) as being unpatentable over document “Encrypted Video over TETRA” by Samarakoon et al. (hereafter “Samarakoon”) in view of “CRT-Mode Encryption” by Lipmaa et al. (hereafter “Lipmaa”) in further view of Kramer et al. (US 6,658,027; hereafter “Kramer”), rejected claims 20-21 and 28 under 35 U.S.C. 103(a) as being unpatentable over Samarakoon, Lipmaa and Kramer in view of ESTI (Radio Equipment and System (RES); Trans—European Trunked Ratio (TETRA); Packet Data Optimized (PDO); Part 1: General Network Design; hereafter “ESTI”), and rejected claims 19 and 27 under 35 U.S.C. 103(a) based on Samarakoon, Lipmaa, Kramer and Uhlirz.

Applicants traverse the rejection because the cited prior art references fail to disclose, teach or suggest all the features recited in the rejected claims. For example, the cited prior art fails to disclose, teach or suggest the claimed increasing of the reproducing delay of the data to be transmitted by adding one or more extra frames to the frame string being transmitted,

marking a frame to be added to increase the reproduction delay as an extra frame and counting of only the frames not marked as extra frames as the number of received frames.

Even if Samarakoon teaches insertion of synchronization frames, as noted in the Office Action, such insertion does not correspond to the claimed operation and equipment for adding one or more extra frames to the frame string being transmitted and associated resulting operations. This is because Samarakoon's synchronization frame is not "a frame to be added to increase the reproduction delay" and it is not marked as an extra frame.

As previously explained, Samarakoon merely teaches to reduce the data rate to compensate for the reduced transmission capacity due to the inserted synchronization frames. As a result, the inserted synchronization frames in the solution of Samarakoon do not increase the reproduction delay.

Lipmaa fails to remedy this deficiency of Samarakoon because Lipmaa merely relates to counter-mode encryption. In fact, it should be noted that Lipmaa is completely silent about any frames being transmitted. As a consequence, Samarakoon in combination with Lipmaa fail to disclose, teach or suggest increasing the reproduction delay of the data to be transmitted by adding one or more extra frames to the frame string being transmitted, marking a frame to be added to increase the reproduction delay as an extra frame, or counting only the frames not marked as extra frames in the number of received frames.

Similarly, Kramer fails to remedy the deficiencies of Samarakoon and Lipmaa because Kramer merely relates to jitter buffer management. More specifically, Kramer discloses that silence frames can be inserted into a jitter buffer when certain criteria are satisfied. Kramer, however, fails to disclose, teach or suggest marking a frame to be added to increase the reproduction delay as an extra frame; and counting only the frames not marked as extra frames in the number of received frames.

Similarly, both ESTI and Uhlirz fail to remedy the above identified deficiencies. As a result, the invention recited in claims 1-29 is allowable over the cited prior art, analyzed individually or in combination.

All issues having been addressed, Applicants look forward to receipt of a notice of allowance indicating the allowability of all the pending claims. However, if anything further is necessary to place the application in condition for allowance, Applicants request that the Examiner telephone, Applicants' undersigned representative.

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Respectfully submitted,

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